

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No. 3051/2006

Yellandu Progressive School, Yellandu, Khammam District, represented by its
Correspondent Sunkaraboyina Jaya ..Petitioners

V.

1. The Assistant Provident Fund Commissioner (PD), Sub-Regional Office, Balasamudram,
Hanamkonda, Warangal District and another. ..Respondents.

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.3051/2006

ORAL ORDER

Questioning the show cause notice dt. 26-12-2005 issued by the second respondent as to why a warrant of arrest should not be issued against the petitioner and committed to the civil prison in execution of the said certificate for failure to pay the amount of arrears specified in Certificate No.195/2005 dt. 13-4-2005 forwarded by the Authorised Officer, SRO, Warangal, the present writ petition is filed.

It is well settled that the writ petition against show cause notice is not maintainable (See: Executive Engineer, Bihar S.H.Board V. Ramesh Kumar (AIR 1996 SC 691); Special Officer, ULC V. M.Vijaya Lakshmi (1998(6) ALT 627 (DB)).

Since it is only a show cause notice to appear before the second respondent, it is always open for the petitioner to appear before him and submit her explanation to the show cause notice within two weeks from to-day, if not already submitted. On submitting her explanation, if any adverse order is passed, she will have a right of appeal provided against the said order.

With the above direction the writ petition is disposed of. No costs.

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Kmr 28-3-2006